Transcript of the Testimony of **David Myers, D.O.**

Date: March 16, 2010

Case: Hutchison v. Texas County 09-3018-CV-S-RED; USDC

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1 A. I think I was aware at some point. I'm not sure when I was made aware of that. 2 Q. Wou would agree with me, Doctor, that part of the reason that you keep records is to chart why certain prescriptions are given? 6 A. Mm-hmm. 7 Q. Is that yes? 8 A. A diagnosis would justify that. 9 Q. What diagnosis is there in your records on May the 5th of 2006 regarding anxiety or depression? 10 A. Non that I made. 11 Q. Did you refer her to any type of counseling or or therapy for the experience she related to you? 12 A. Non that I made. 13 Q. You didn't feel that was medically necessary? 14 A. I think she did that on her own. 15 A. I didn't make the referral for her. I think she made that on her own accord. 16 A. Wh. Harris) Well, but did you feel that 17 Q. Well, here's my question, Doctor: To a reasonable degree of medical certainty on May the 5th of 2006 die you believe that Ms. Hutchison was experiencing any mental health issues significant enough to warrant a referral to some type of mental health professional? 18 A. I din't make the referral for her. I think she would have been glad to do it. 2 Q. Well, here's my question, Doctor: To a reasonable degree of medical certainty on May the 9th of 2006 die you believe that Ms. Hutchison was experiencing any mental health issues significant enough to warrant a referral to some type of mental health professional? 14 A. Oh, see 30 people a day that would meet those qualifications. I don't refer them all to psychiaric or psychological care, which Monica's a pretty tough girl. I don't think she would have saked for that unless she wanted me to do that. 2 Q. Do you recall her bringing up the subject any time after the May 5th, 2006, visit? 2 A. Yeah. We've discussed it a couple times in the ferror of		· · · · · · · · · · · · · · · · · · ·		
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7 Q. Is that yes? A. A diagnosis would justify that. 9 Q. What diagnosis is there in your records on 10 May the 5th of 2006 regarding anxiety or 11 depression? 12 A. None that I made. 13 Q. Did you refer her to any type of counseling 13 or therapy for the experience she related to you? 15 A. No. 17 Q. You didn't feel that was medically 16 necessar? 19 A. I think she did that on her own. 21 Q. And what do you base that conclusion upon? 22 Q. And what do you base that conclusion upon? 23 A. I didn't make he referral for her. I think she made that on her own accord. 24 Q. (By Mr. Harris) Well, but did you feel that 25 Q. Well, here's my question, Doctor: To a reasonable degree of medical certainty on 6 May the 5th of 2006 did you believe that health issues significant enough to warrant a referral to some type of mental health professional? 11 A. Oh, I see 30 geople a day that would meet the beautily see that their emotions were out of control, which Monica's a pretty tough girl. I don't think she would have asked for that unless she wanted me to do that. 24 A. Yes. 25 Q. Dy didn't make it for her. I think she made that on her own accord. 26 Q. Well, here's my question, Doctor: To a reasonable degree of medical certainty on form the professional? 27 A. Oh, I see 30 geople a day that would meet the beautily help the defamed her? 28 A. Pos. She told me she had been accused of running a prostitution ring, I think is what she and custed of vunting a prostitution ring? 29 A. I didn't make it for her. 20 D. Joy ou dwhat do you base that conclusion upon? 21 A. Because I didn't make it for her. 22 A. I fish that the referral for her. I think she made that on her own accord. 24 bus as due to make a practice of discussing her sexual habits with her as part of your treatment of her? 25 Q. (By Mr. Harris) Well, but did you feel that the same and that on her own accord. 26 Q. Well, here's my question, Doctor: To a reasonable degree of medical certainty on the professional? 27 Q. The form the provessional? 28 Q. Well, here's my				
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1.2 A. None that I made. 1.3 Q. Did you refer her to any type of counseling or therapy for the experience she related to you? 1.5 you? 1.6 A. No. 1.7 Q. You didn't feel that was medically necessary? 1.8 A. I think she did that on her own. 1.9 A. I think she did that on her own. 1.0 Q. And what do you base that conclusion upon? 1.1 A. Day on the experience she related to you? 1.2 A. Because I didn't make it for her. 1.2 MR. FRANKLIN: Excuse me? I didn't—2. 1.2 MR. FRANKLIN: Excuse me? I didn't—2. 1.3 A. I didn't make the referral for her. I think she made that on her own accord. 1.4 Q. (By Mr. Harris) Well, but did you feel that 1.5 you? 1.6 A. If she asked me, I would have been glad to do it. 1.6 y. Well, here's my question, Doctor: To a reasonable degree of medical certainty on May the 5th of 2006 did you believe that health issues significant enough to warrant a referral to some type of mental health professional? 1.6 y. Well, here's my destion, it is a port type of girl. I don't think she would have asked for that unless she wanted me to do that. 1.9 Q. Do you recall her bringing up the subject any time after the May 5th, 2006, visit? 1.0 y. Yea. Welve discussed it a couple times in addition to that. Nothing at length. I did know that she was a you know, had been accused of some things that I thought had the prostitution ring, I think is was a dargoristic and provided and prostitution ring. I think is a prostitution ring. I think is a prostitution ring. I think is a prostitution ring? 2. O. So she reported to you that she' accused of running a prostitution ring? 2. A. Yes. 2. Did she deny that? 2. A. Yes. 2. Did you make a practice of discussing her sexual habits with her as part of your treatment of her? 2. A. I fishe asked my that a prescribed her birth control pills, we treated vaginal 2. A. I fishe saked the ton her own accord. 3. A. I fishe saked me, I would have been glad to do it. 3. A. She told on that she deen accused of vone that said. 4. Yes. 4. Yes. 5. Q. Did you make a practice of discussing her			1	
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